

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 4  
05 JUN 24 PM 4:09  
CLERK OF U.S. DIST. CT  
W.D. OF TN-JACKSON

RAYMOND ANDREW CLARK,

Plaintiff,

VS.

No. 04-1174-T/An

CHARLES TRAUGHBER, ET AL.,

Defendants.

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ORDER GRANTING MOTION TO WITHDRAW DEFAULT JUDGMENT  
AND  
DENYING MOTION FOR DEFAULT JUDGMENT AS MOOT

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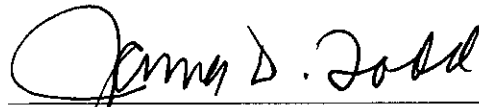
On May 16, 2005, the Court entered an order directing the defendants to respond to the complaint and to plaintiff's motion for summary judgment within twenty days. On June 6, 2005, defendants filed a response to the summary judgment motion and a motion to dismiss, thereby complying with the Court's order.

On June 10, 2005, the Clerk of Court received and filed plaintiff's Request for Entry of Default and Motion for Default Judgment. As the defendants' motion to dismiss was pending, the Clerk did not enter default. On June 22, 2005, the plaintiff filed a motion asking that his motion for default judgment be withdrawn.

Plaintiff's motion to withdraw his motion for default judgment is GRANTED.

Consequently, the motion for default judgment is DENIED as moot.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "James D. Todd", written over a horizontal line.

JAMES D. TODD  
UNITED STATES DISTRICT JUDGE

A handwritten date "24 June 2005" written in cursive script, positioned above the word "DATE" and a horizontal line.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 1:04-CV-01174 was distributed by fax, mail, or direct printing on June 27, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT